



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,474	09/10/2001	Harald Schopp	West.6189	4919

7590 10/18/2005

Patrick J O'shea
Samuels Gauthier & Stevens
Suite 3300
225 Franklin Street
Boston, MA 92110

EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/857,474

Applicant(s)

SCHOPP ET AL

Examiner

KIEU-OANH T. BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>06/05/2001</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract should be in a single paragraph of a separate sheet of paper. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.*

3. Claims 6-19 (pre-amended) are rejected under 35 U.S.C. 102(e) as being anticipated by Edens et al.(U.S. Patent No. 6,611,537 B1).

Regarding claim 6, Edens discloses an optical ring network for use in homes, motor vehicle and other environments (Fig. 1, and col. 13/lines 24-40) comprises an optical data line that defines a ring network (as illustrated in Fig. 1/item 120 for a ring network and/or Fig. 7 for a clearer ring topology, and col. 13/lines 40-55 with optical fiber cable is used, refer to col. 15/lines 52-60), a playback transducer (CD/DVD player or multimedia PC of Fig. 1), at least one data source (satellite received at DSS tuner and FM broadcasting received at FM tuner of Fig. 1) connected to the optical data line, and provides compressed data onto the optical data line (col. 13/lines 55-65 as MPEG2 stream is compressed and delivered to the logical ring network 120);

Art Unit: 2611

and at least one data sink for received the compressed signal and the data sink includes a bit stream decoder for decompressing the compressed data signal and provide to the playback transducer (for playing) (refer to Fig. 1, and col. 14/lines 7-23 for MPEG decoder 151, 161 for decoding the compressed data to display on the television).

As for claims 7 and 8, Edens further discloses wherein the bit stream decoder includes means for decompressing video and audio data (col. 14/lines 7-23 for MPEG2 for audio/sound decoding with AC-3 surround sound decoder and video decoding to view and listen MPEG movies).

As for claim 9, Edens discloses wherein the playback transducer includes at least one loudspeaker (speakers 153, 154, 156, 157, 158 for Fig. 1, col. 14/lines 7-23).

As for claim 10, Edens further discloses wherein the playback transducer includes a video display (LCD display screen is addressed, refer to col. 14/lines 7-23 again).

As for claim 11, Edens further teaches wherein the bit stream decoder includes an MPEG decoder, JPEG decoder and an AC decoder (col. 14/lines 7-23 for MPEG and AC-3 decoders and a JPEG decoder is also suggested to include as computer graphics images can be viewed on the LCD screen).

As for claim 12, Edens further discloses wherein the at least one data source includes a radio tuner (Fig. 1/item 130 for a FM radio tuner).

As for claim 13, Edens further discloses to include a second data source that includes a DVD player that is connected to the logical ring network to provide compressed data onto the optical data line (Fig. 1/item 180 for a DVD is connected to ring network 120).

Art Unit: 2611

As for claim 14, Edens teaches this limitation as DSP 152 is configured to control the selective configuration of decoders MPEG, JPEG and/or AC-3 accordingly (col. 14/lines 7-40).

Regarding claim 15, Edens' reference reads on this claim, refer to claims 6-8, and 12-13 above, not limited to the cited paragraphs above but also to the entire disclosure of Edens' reference.

As for claims 16-19, Edens discloses these features, refer to claims 11-14 as disclosed above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rostoker et al and Gerszberg et al (PTO 892 attached) disclose systems related to ring networks and provide MPEG audio/video programs to users.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to PTO New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

Hand deliveries must be made to Customer Service Window,

Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Art Unit: 2611

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kieu-Oanh Bui
Primary Examiner
Art Unit 2611

KB

Oct. 5, 2005